

REMARKS

In the final Office action, claims 1-22 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting ("ODP") over the claims of copending Application Nos. 10/962,960 (Publication No. 2006/0079552) and 10/573,516 (2007/0043081).

The rejections of the claims on the ground of nonstatutory double patenting in view of the two copending applications are the only rejections remaining in the present application.

Applicants wish to point out that the effective filing date of the present application is December 2, 2002, on which the base PCT application, PCT/EP02/13477 was filed (claiming priority to PCT/EP01/14195 filed December 4, 2001), which is the earliest effective filing date among the three applications in issue. The effective filing dates of the two copending applications are as follows:

Application No. 10/962,960: October 12, 2004; and

Application No. 10/573,516: September 21, 2004 (PCT/EP04/10559, claiming priority to PCT/EP03/10746, filed September 26, 2003).

Pursuant to MPEP § 804, when "provisional" ODP rejections in multiple applications are the only rejections remaining in the application, the ODP rejection in the earlier filed application should be withdrawn. Since the present application has the earliest effective date compared to the two copending applications, Applicants believe the ODP rejection in the present application in view of these two copending applications should be withdrawn.

Further, Applicants wish to draw the Examiner's attention to a copending application whose subject matter is related to that of the subject application. It is Application No. 10/962,960 ("the '960 application"), entitled "4-(piperidyl- and pyrrolidyl-alkyl-uredo)-quinolines as urotensin II receptor antagonists", which is a U.S. national stage

patent application based on International Application No. PCT/IB2005/053340, filed October 11, 2005, claiming priority to International Application No. PCT/EP2004/011410 filed October 12, 2004. The effective filing date of the '960 application is also later than that of the subject application.

In view of the above remarks, Applicants respectfully request that the Examiner reconsider the present application.

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Respectfully submitted,

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